

Express Mail Label No: EV 346842840 US

Date of Deposit: August 20, 2003
Patent
Attorney's Docket No. 000952-103

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
)	
John R. Peery et al.)	Group Art Unit: Unknown
)	
Continuation of Application No.: 10/108,303)	Examiner: Unknown
)	
Filed: Herewith)	
)	
For: SUSTAINED DELIVERY OF AN)	
ACTIVE AGENT USING AN)	
IMPLANTABLE SYSTEM)	

**INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is an Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

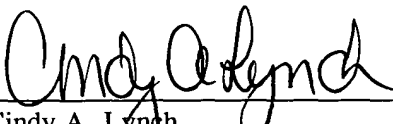
- ☒ [X] No additional fee for submission of an IDS is required.
- ☐ [] The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ [] A statement under 37 C.F.R. § 1.97(e) is also enclosed.

The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 20, 2003

By: 
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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, Applicants hereby submit the following information in conformance with 37 C.F.R. §§ 1.97 and 1.98. Pursuant to 37 C.F.R. § 1.98(d), copies of the cited references are not included, as they were either cited or submitted in the parent application of this application (Serial No. 10/108,303 filed March 28, 2002) upon which this application claims priority under 35 U.S.C. § 120.

The references known to Applicants are listed on the attached Form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

While this Information Disclosure Statement may contain "material" information pursuant to 37 C.F.R. § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to herein is "prior art" to the invention disclosed and claimed in the above-referenced application unless specifically designated as such.

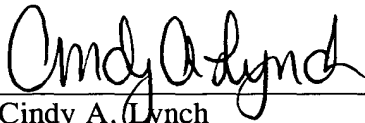
Applicants specifically reserve the right, where appropriate, to antedate any such reference by the appropriate showing under 37 C.F.R. § 1.131 and § 1.608, or any other appropriate means.

This Information Disclosure Statement is not a representation that a search has been made or that no other information material to the patentability of this invention exists.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: August 20, 2003

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Substitute for forms 1449A/PTO & 1449B/PTO FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT	ATTORNEY'S DKT NO. 000952-103	APPLICATION NO. Continuation Application
	APPLICANT John R. Peery et al.	
	FILING DATE August 20, 2003	GROUP Unknown

U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)
	3,987,790		Eckenhoff et al.	10-26-1976
	4,865,845		Eckenhoff et al.	09-12-1989
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Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation Yes No

NON PATENT LITERATURE DOCUMENTS	
Examiner Initials	Include name of author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	Darney, Philip D., "Subdermal Progestin Implant Contraception", <i>Current Opinion in Obst. Gyn.</i> , 3:470-476 (1991)
	BBI Newsletter, "Implantable Infusion Pumps: Technology Poised for Takeoff", 17(12):209-211 (1994)
	Kildsig, Dane O., et al., "Theoretical Justification of Reciprocal Rate Plots in Studies of Water Vapor Transmission Through Films", <i>J. Pharm. Sci.</i> , 59(11):1634-1637 (1970)
	Morgan, P.W., "Structure and Moisture Permeability of Film-Forming Polymers", <i>Ind. Eng. Chem.</i> , 45(10):2296-2306 (1953)
	<i>Materials Engineering</i> , 5(72):38-45 (1972)
	"Standard Specification for Epoxy Molding Compounds", <i>Ann. Book of ASTM Stds.</i> , 8(2):208-211 (1984)
	Rogers, C.E., et al., "Permeability Valves", <i>Ind. Eng. Chem.</i> , 49(11):1933-1936 (1957)

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.